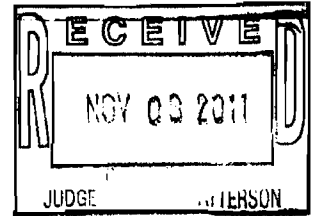


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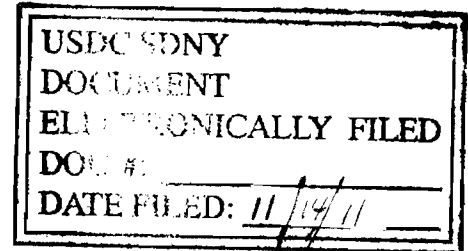


RECEIVED

November 8, 2011

VIA FACSIMILE TO (212) 805-7917

Honorable Robert P. Patterson
United States District Judge
Daniel Patrick Moynihan United States Courthouse
500 Pearl Street
New York, NY 10007-1312



Re: Levin v. Bank of New York, 09 Civ. 5900 (RPP) (MHD) (S.D.N.Y.)

Dear Judge Patterson:

This firm represents defendants JPMorgan Chase & Co. and JPMorgan Chase Bank, N.A. (collectively, "JPMorgan") and The Bank of New York Mellon ("BNY Mellon") in the above-referenced proceeding.

I am enclosing a stipulation extending from November 15 to November 28, 2011, the time for JPMorgan and BNY Mellon to serve answers or otherwise respond to counterclaims asserted by third-party defendants Terance J. Valore, et al. (the "Valore parties"). My firm has requested this extension of time because the attorney at my firm who is principally responsible for this matter, Kelley Nevling, is out of the country and will not be returning to the office until November 21. The extension will not appreciably delay this matter. To the extent that the consent of one of the judgment creditors' counsel is required, David Misler of the firm DLA Piper, which represents third-party defendants Estate of Michael Heiser, et al., has consented to this extension of time. This is the first extension of time for my clients to answer the Valore parties' counterclaims.

We respectfully request that the Court so order this stipulation.

Respectfully submitted,

Richard F. Lubarsky
R.F. Lubarsky L.A.

Richard F. Lubarsky

Enclosure

*Approved by
Robert J. Valore
11/14/11*

Honorable Robert P. Patterson
November 8, 2011
Page 2

cc by e-mail to:

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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X

JEREMY LEVIN and DR. LUCILLE LEVIN,	:	Case No. 09 Civ. 5900 (RPP)
Plaintiffs,	:	(MHD)
-against-	:	
BANK OF NEW YORK, et al.,	:	
Defendants.	:	
-----X		
THE BANK OF NEW YORK MELLON, et al.,	:	
Third-Party Plaintiffs,	:	
-against-	:	
STEVEN M. GREENBAUM, et al.,	:	STIPULATION
Third-Party Defendants.	:	<u>AND ORDER</u>
-----X		

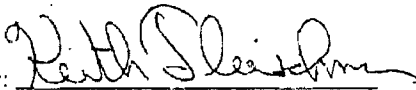
IT IS HEREBY STIPULATED AND AGREED by and between the undersigned counsel for the specified parties that the time for Defendants and Third-Party Plaintiffs JPMorgan Chase & Co. and JPMorgan Chase Bank, N.A. (collectively, "JPMorgan"), and the Bank of New York Mellon ("BNY Mellon") to serve answers or move with respect to the counterclaims set forth in the answer filed in this proceeding by third-party defendants Terance J. Valore, et al. on October 25, 2011 is extended from November 15 to and including November 28, 2011. There have been no prior extensions

of the time for JPMorgan or BNY Mellon to answer these counterclaims. This

Stipulation may be signed by electronically transmitted signatures and in counterparts.

Dated: New York, New York
November 7, 2011

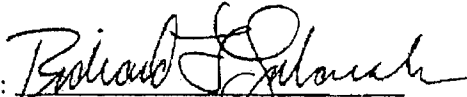
THE FLEISCHMAN LAW FIRM

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Attorneys for Defendants and Third-Party
Plaintiffs JPMorgan Chase & Co.,
JPMorgan Chase Bank, N.A. and
The Bank of New York Mellon

SO ORDERED (November ____, 2011):
